

WILKOFSKY, FRIEDMAN, KAREL & CUMMINS

ATTORNEYS AND COUNSELORS AT LAW

JONATHAN J. WILKOFSKY♦

MARK L. FRIEDMAN♦

DAVID B. KAREL □♦▲

HARRY A. CUMMINS♦♦▲

ROMAN RABINOVICH♦♦

299 BROADWAY • SUITE 1700

NEW YORK, NEW YORK 10007

TEL: (212) 285-0510/(888) 285-0510

FAX: (212) 285-0531/(877) 285-1341

[www.wfkclaw.com](http://www.wfkclaw.com)

CONNECTICUT OFFICE:

1 ELIOT PLACE, 3<sup>RD</sup> FL.

FAIRFIELD, CT 06434

FLORIDA OFFICE:

270 SOUTH CENTRAL BLVD., STE. 203

JUPITER, FL 33458

LOUISIANA OFFICE:

2800 VETERANS MEMORIAL BLVD., STE. 204

NEW ORLEANS, LA 70130

NEW JERSEY OFFICE:

4499 ROUTE 27

KINGSTON, NJ 08528

NORTH CAROLINA OFFICE:

1909 J.N. PEASE PL., STE. 204

CHARLOTTE, NC 28262

PENNSYLVANIA OFFICE:

1835 MARKET STREET, STE. 2700

PHILADELPHIA, PA 19103

PUERTO RICO OFFICE:

207 DEL PARQUE STREET, 3<sup>RD</sup> FL.

SAN JUAN, PR 00912

TEXAS OFFICE:

2229 SAN FELIPE, STE. 1000

HOUSTON, TX 77019

KEVIN A. COLES□ OF COUNSEL

CATHERINE L. CREAGER□ OF COUNSEL

KEITH A. SELDIN\*♦ OF COUNSEL

R. RAY ORRILL, JR.♦ OF COUNSEL

MICHAEL D. BARNES△ OF COUNSEL

LESLIE JONES-THOMAS♦ OF COUNSEL

DAVID C. INDIANO♦▼ OF COUNSEL

JEFFREY M. WILLIAMS▼ OF COUNSEL

LESLIE E. LITTLE■ OF COUNSEL

MEMO ENDORSED

November 20, 2019

□ ADMITTED CT  
\* ADMITTED FL  
♦ ADMITTED LA  
△ ADMITTED NC  
◊ ADMITTED NJ  
◆ ADMITTED NY  
◊ ADMITTED OH  
▲ ADMITTED PA  
▼ ADMITTED PR  
■ ADMITTED TX

VIA EMAIL: ALCarterNYSDChambers@nysd.uscourts.gov

Hon. Andrew L. Carter, Jr.  
United States District Judge  
United States District Court for the  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 435  
New York, New York 10007

Re: Fordec Realty Corp. v. Travelers Excess and Surplus Lines  
Company, et al  
Our File No.: 17J153  
Docket No.: 18-CV-00085

Dear Honorable Justice Carter:

On behalf of Plaintiff, we are making this motion by letter and accompanying  
Certification for permission to file a late Local Rule 56.1 Statement. Although papers we filed  
refer to such Local Rule 56.1 Statement, we learned today that it was apparently not filed.

WILKOF SKY, FRIEDMAN,  
KAREL & CUMMINS

November 20, 2019

PAGE -2-

A review of the filings evidences that both Plaintiff and Defendant made numerous attempts to file documents with the court, with many of the papers being rejected. Note, we filed the Local Rule 56.1 Statement today for our papers submitted in Opposition to Defendant's Motion this date refers to such Local Rule 56.1 Statement and the Exhibits referenced therein. Without the Statement, the Opposition, timely filed today, would not be complete.

We note as well that the metadata in the Local Rule 56.1 Statement evidences when it was prepared. No changes have been made to it since the date of filing of the motions made by Plaintiff and Defendant for Summary Judgment.

Respectfully yours,

WILKOF SKY, FRIEDMAN,  
KAREL & CUMMINS

By: DAVID B. KAREL  
DAVID B. KAREL

DBK/ajd

cc: Via E-Mail [wackerman@rc.com](mailto:wackerman@rc.com)  
Wystan M. Ackerman

20172\17J153.C122

*cc: DBK/ajd*  
ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE  
2-28-20

Plaintiff should file its  
Rule 56.1 Statement by  
March 6